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**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION OF  
SOUTHERN CALIFORNIA,  
*Plaintiff,*

v.

UNITED STATES IMMIGRATION  
AND CUSTOMS ENFORCEMENT,  
UNITED STATES DEPARTMENT  
OF HOMELAND SECURITY,  
*Defendants.*

Case No. 2:22-cv-04760-SHK

**JOINT STIPULATION TO SET  
BRIEFING SCHEDULE FOR  
CROSS-MOTIONS FOR  
SUMMARY JUDGMENT AGAINST  
DEFENDANTS DEPARTMENT OF  
HOMELAND SECURITY AND  
DEPARTMENT OF HOMELAND  
SECURITY OFFICE OF  
INSPECTOR GENERAL**

Honorable Shashi H. Kewalramani  
United States Magistrate Judge

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1 IT IS HEREBY STIPULATED, by and between Plaintiff American Civil  
2 Liberties Union Foundation of Southern California and Defendants Department of  
3 Homeland Security (“DHS”) and DHS Office of Inspector General (“DHS-OIG”)  
4 (collectively “Defendants”), through their counsel, and subject to an order of this Court  
5 as follows:

6 1. On December 1, 2023 and December 14, 2023, and through subsequent  
7 email communication, the Parties met and conferred pursuant to Local Rule 7-3 to  
8 discuss their intent to file Cross-Motions for Summary Judgement as to Plaintiff’s claims  
9 against Defendants DHS and DHS-OIG.<sup>1</sup>

10 2. During the Rule 7-3 conferences, DHS-OIG confirmed that it had  
11 completed its production of records responsive to Plaintiff’s Freedom of Information Act  
12 (“FOIA”) Request on or about August 2, 2023. Plaintiff stated that it intends to file a  
13 Motion for Summary Judgment against DHS-OIG and DHS regarding its claims of  
14 search adequacy, wrongful withholding of documents, and improper redactions.  
15 Defendant DHS-OIG stated that it intends to file a Cross-Motion for Summary Judgment  
16 as to all of Plaintiff’s claims against it.

17 3. In addition to the content of the Motions, the Parties discussed the timing of  
18 filing their Cross-Motions, and proposals for a briefing schedule. They also discussed the  
19 deadline for Defendant DHS-OIG to produce a *Vaughn* index to address Plaintiff’s  
20 wrongful withholding claim, and a search summary to address Plaintiff’s search  
21 adequacy claim prior to the filing of their Cross-Motions to facilitate the briefing. Based  
22 on Defendant DHS-OIG’s representations, this search summary shall include dates of  
23 searches, all search terms used, custodians and file locations searched, and the number of  
24 pages produced by DHS-OIG.

25 4. Although a *Vaughn* index must address “each withheld document or  
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27 <sup>1</sup> Defendant ICE is still in the process of searching for and producing records  
28 responsive to Plaintiff’s FOIA Request. As such, the Parties defer setting a summary  
judgment schedule as to Plaintiff’s claims against ICE at this time.

deletion from a released document,” on December 8, 2023, Plaintiff provided, at Defendants’ request, a list of documents to be addressed in DHS-OIG’s *Vaughn* index to expedite the process. *Founding Church of Scientology of Washington, D.C., Inc. v. Bell*, 603 F.2d 945, 949 (D.C. Cir. 1979).

5. Based on these discussions, the Parties stipulate and agree, subject to an order of this Court, to the following schedule for the Parties to file and brief Cross-Motions for Summary Judgment, and for Defendant DHS-OIG to produce a *Vaughn* index and a search summary:

Defendant DHS-OIG to Produce search summary to Plaintiff	January 19, 2024
Defendant DHS-OIG to Produce <i>Vaughn</i> index to Plaintiff	February 9, 2024
Plaintiff Files Motion for Summary Judgment against DHS and DHS-OIG	February 23, 2024
Defendants DHS and DHS-OIG File Cross Motion for Summary Judgment and Opposition Brief	March 15, 2024
Plaintiff Files Opposition and Reply Briefs	March 29, 2024
Defendants DHS and DHS-OIG File Reply Brief	April 12, 2024
Hearing on Cross-Motions	April 24, 2024, or at the convenience of the Court

**IT IS SO STIPULATED.**

Dated: December 20, 2023

Respectfully submitted,

**HOQ LAW APC**

/s/ Laboni A. Hoq  
LABONI A. HOQ

Attorneys for Plaintiff American Civil Liberties Union Foundation of Southern California

1 Dated: December 20, 2023

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15 \* Pursuant to Local Rule 5-4.3.4(2)(i), the filer attests that all other signatories listed,  
 16 and on whose behalf the filing is submitted, concur in the filing's content and have  
 17 authorized the filing.  
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